

AMENDED IN ASSEMBLY MAY 3, 2005

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1420**

**Introduced by Assembly Member Niello**

February 22, 2005

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An act to add Section 35735.5 to the Education Code, relating to education finance.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1420, as amended, Niello. ~~Education: school finance. School districts: unification and funding.~~

Existing law requires a revenue limit to be calculated for each school district and each county superintendent of schools and requires the amount of the revenue limit to be adjusted for various factors. In the case of a newly organized school district, existing law requires the revenue limit of the new school district to be calculated by a blending of the revenue limit per unit of average daily attendance of the affected school districts. Existing law requires the Superintendent of Public Instruction to take into account the revenue limit of a school district and county superintendent of schools when apportioning funding to school districts and county superintendents of schools.

This bill would, notwithstanding these provisions, require the unified school district that results from the unification of the Grant Joint Union High School District and the Del Paso Heights Elementary School District to retain the revenue limits of the affected school districts, as specified, *until the unified school district that results from this unification is reorganized, as specified.*

The bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 35735.5 is added to the Education  
2 Code, to read:  
3 35735.5. (a) Notwithstanding Section 35735.1, *and subject*  
4 *to subdivision (c)*, the unified school district that results from the  
5 unification of the Grant Joint Union High School District and the  
6 Del Paso Heights Elementary School District shall retain the  
7 revenue limits of the affected school districts computed pursuant  
8 to Section 42238.  
9 (b) ~~The~~ *Subject to subdivision (c)*, the resulting unified school  
10 district shall retain those revenue limits in the same proportion of  
11 the average daily attendance of pupils in kindergarten and grades  
12 1 to 8, inclusive, to the average daily attendance of pupils in  
13 grades 9 to 12, inclusive.  
14 (c) *The revenue limit adjustment described in subdivisions (a)*  
15 *and (b) shall not apply if the unified school district described in*  
16 *subdivision (a) is reorganized pursuant to this chapter to, among*  
17 *other things, annex territory of or unify with another school*  
18 *district.*  
19 SEC. 2. Due to the unique circumstances concerning the  
20 unification of the Grant Joint Union High School District and the  
21 Del Paso Heights Elementary School District, the Legislature  
22 finds and declares that a general statute cannot be made  
23 applicable within the meaning of Section 16 of Article IV of the  
24 California Constitution.